HONOURABLE SMT. JUSTICE T.MEENA KUMARI
&
HONOURABLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION No:23914 OF 2007

Dated: 14.11.2007

-

Between:

1. State of A.P., rep., by its Principal Secretary,
Revenue Department, Secretariat Building, Hyderabad
and others.

..Petitioners

And

N. Devanand ..Respondent

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

HONOURABLE SMT. JUSTICE T.MEENA KUMARI
&
HONOURABLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION No:23914 OF 2007

ORDER: (per Hon'ble Smt. Justice T. Meena Kumari)

The present writ petition is filed by the petitioners seeking to set aside the interim order passed in O.A.No:6602 of 2005, dated 21.10.2005.

The respondent is the applicant before the tribunal. Along with the O.A., the applicant has also sought for an interim relief and the same was granted by the Tribunal. Consequently, the writ petitioners have filed an application seeking to vacate the interim order and the same is pending before the tribunal. While so, the writ petitioners filed the present writ petition seeking to set aside the interim order.

Filing of the present writ petition for the self-same relief that was sought in the vacate petition, which is pending before the tribunal, amounts to abuse of process of the Courts and apart from that, the opinion expressed, if any, by this Court at this stage of the proceedings, may become subjudice to the proceedings pending before the tribunal in the vacate petition. Hence, we see no merits in this writ petition and the same is liable to be dismissed as not maintainable.

Accordingly, this writ petition is dismissed. No costs. However, the tribunal is directed to dispose of the vacate stay petition pending before it, within a period of four weeks from the date of receipt of a copy of the order.

_____
Justice T. Meena Kumari

_____
Justice G.Chandraiah

Date:14th November, 2007
Nn/Gurc.

HONOURABLE SMT. JUSTICE T.MEENA KUMARI
&
HONOURABLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION No:23914 OF 2007

(Order delivered by the Hon'ble Smt. Justice T. Meena Kumari)

14.11.2007